

April 14, 2004

STEPHEN LAMPHEAR
12011 18TH AVE SW
BURIEN WA 98146-2529

Subject: Complaint Filed Against Citizens for Better Burien - PDC Case No. 04-289

Dear Mr. Lamphear:

The Public Disclosure Commission staff has completed its investigation of your complaint received on October 20, 2003 alleging that the political committee Citizens for Better Burien sponsored a political advertisement supporting three Burien City Council candidates and failed to register and report as a political committee or, alternatively, if the actual committee is Better Burien, that the political committee registration statement (C1-pc) filed by Better Burien contained incorrect information and failed to disclose addresses for the committee's officers and a location for public inspection of the committee's campaign records during the eight days before an election.

The PDC staff reviewed your allegations in light of the following statutes:

RCW 42.17.040 requires a political committee, within two weeks after organizing, to register and disclose the purpose of the committee, names and addresses of committee officers including the treasurer, and the time and place for public inspection of records, as well as other information about the committee.

RCW 42.17.080 and .090 require that political committees file frequent and detailed reports of contribution and expenditure activities. RCW 42.17.080 also mandates that political committees make the campaign records available for public inspection during two consecutive hours on the 8th day immediately preceding an election and by appointment for the 7 days immediately preceding an election.

You stated that you received a flyer supporting Burien City Council candidates that was sponsored by the political committee "Citizens for Better Burien." You alleged: 1) that Citizens for Better Burien failed to register and report as a political committee and 2) that the committee used false names and addresses on its campaign literature. You stated that the true sponsor of the political advertisement may have been the registered political committee "Better Burien."

We found that:

- “Citizens for Better Burien” does not exist and that the political committee “Better Burien” sponsored the political advertisement referenced in your complaint.
- The treasurer of Better Burien is Ronald L. Seale. His name appears on the political advertisement as “R. S. Seale.”

In accordance with Public Disclosure Commission practice, a warning letter has been sent to Mr. Seale concerning the lack of proper sponsor identification on the political advertisement of Better Burien. Enclosed is a copy of that letter. No further enforcement action will be taken concerning the sponsor identification.

You further alleged that the political committee Better Burien 1) claimed on its registration that it would not support or oppose candidates and had perhaps sponsored a political advertisement in support of candidates, 2) failed to disclose complete names and addresses for the named officers, 3) failed to name a location where the campaign records could be viewed during the eight days before an election, and 4) used the treasurer’s employer’s address as the committee’s address.

We found that:

- The initial registration filed by Better Burien listed Mr. Seale’s business address for the committee.
- The initial registration indicated that the committee would not support or oppose candidates.
- The initial registration failed to include individual officers’ addresses and failed to include an address where public inspection of its campaign books and records could occur.
- Better Burien amended its registration on October 24, 2003 to include addresses for its officers and a location for the inspection of its campaign records.
- The amended registration also indicated that the committee would support candidates Rose Clark, Jack Block, and Lucy Krakowiak.
- Mr. Seale stated that the initial registration was “*poorly filled out*” and that the committee’s sole activity was to sponsor the flyer referenced in the subject complaint.

Better Burien amended its registration on October 24, 2003, more than a week before the General Election. The amended registration included a location for public inspection of its records and was available on the Public Disclosure Commission’s website on Monday, October 27, 2003, the first day of the eight-day period for public inspection. The

amended registration also disclosed which candidates Better Burien supported and included addresses for the committee's officers. Since Better Burien amended its registration more than a week before the election and engaged in limited activity before the election, no further enforcement action is warranted. Mr. Seale will be cautioned to file accurate reports in future election campaigns.

A political committee may elect to use any address it chooses so long as mail sent to the chosen address reaches the political committee. Even though the individual officers' addresses were omitted from the initial C-1pc, the address given for the committee was the business address of one of the two officers listed. Thus, no enforcement action is warranted.

After a careful review of the alleged violations and relevant facts, we have concluded our investigation and, with the concurrence of the Chair of the Public Disclosure Commission, I am dismissing your complaint against Citizens for Better Burien, Better Burien, and Ronald L. Seale.

Sincerely,

Vicki Rippie
Executive Director

c: Ronald L. Seale